

REMARKS

Claims 1-12 are pending in the present Application and are subject to a Restriction requirement and election of species as follows:

Group I, Claims 1-10, drawn to a catalyst composition having heterocyclic groups.

Group II, Claims 1-10, drawn to a catalyst composition not having heterocyclic groups.

Group III, Claims 11-13, drawn to a process of hydroformylating an olefin compound.

Claim 1 claims a catalyst composition. Claims 1 to 9 depend directly or indirectly from Claim 1. Claim 10 claims a process of hydroformylating an olefin compound comprising reacting in the presence of the catalyst composition of Claim 1. Claims 11-12 depend from Claim 10. Applicants respectfully assert the claims drawn to a catalyst composition are Claims 1-9. Therefore Group I should consist of Claims 1-9.

The Examiner confirmed that Group I should consist of Claims 1-9 by telephone on February 19, 2008.

Therefore, in response to the Examiner's Restriction, Applicants hereby elect prosecution of Group I, claims 1-9, drawn to a catalyst composition having heterocyclic groups, with traverse. This election is being made without prejudice to Applicants' rights with respect to the unelected claims, including the right to file divisional application(s) thereon.

In response to the Examiner's requirement for an election of species, Applicants hereby elect the species described by the following compounds:

Formula 1: 1,1'-biphenyl-2,2'-diyl-bis(dipyrrolphosphoramidite) (BPO-P(Pyl)₂)

Formula 2: triphenylphosphine oxide (TPPO)

Formula 3: acetylacetona dicarbonylrhodium (Rh(AcAc)(CO)₂)

This species reads on claims 1-9.

Regarding Groups I and II, the Examiner states “Groups I and II lack the same or corresponding chemical feature because they are so disparate structurally...” The Applicants respectfully assert Groups I and II are not distinct and independent species because they share a common technical feature. Specifically, Claims 1-9 claim a catalyst composition that comprises a bidentate ligand, a monodentate ligand, and a transition metal catalyst. Accordingly, reconsideration of the distinction between Groups I and II is respectfully requested.

If the Examiner has any questions as to this response, the undersigned is available for a telephone conference at the number below.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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